

REMARKS

In response to the Office Action mailed on August 9, 2006, Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1-30 are currently pending.

Pending Claims

In the Office Action mailed on August 9, 2006, the Examiner appears to have addressed original Claims 1-26 and not the Claims as amended in the Office Action Response dated January 17, 2006. In addition, the Examiner did not address Claims 27-30 that were newly added in the Office Action Response dated January 17, 2006. Further, the Examiner made no mention of Applicant's arguments in the Office Action Response dated January 17, 2006.

Applicant's Attorney attempted unsuccessfully to reach the Examiner on two occasions by phone (a message was left on November 21, 2006) to verify that the Examiner was addressing the claims as amended in the Office Action Response dated January 17, 2006.

Applicant is repeating herein the arguments made in the Office Action Response dated January 17, 2006 and requests the Examiner to address the pending claims as amended in the Office Action Response dated January 17, 2006.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Peters et al., U.S. Patent No. 2003/0003926 (hereinafter "Peters"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicant respectfully traverses the rejections because Peters fails to teach, either expressly or inherently, all of the elements of independent Claims 1, 21, 22, and 26.

Claim 1, as amended, recites “A method for providing selected status announcements from a wireless telephone user to a caller, said method comprising: receiving an incoming telephone call from a caller; responsive to a determination that an automatic answering mode applies to the incoming call: receiving a pre-selected announcement action corresponding to said incoming telephone call; and performing said pre-selected announcement action wherein if said pre-selected announcement action includes a hold announcement then answering said incoming telephone call by providing the caller with the hold announcement; responsive to a determination that a manual answering mode applies to the incoming call: receiving a user-selected announcement action selected by said user from a list of announcement actions, said user-selected announcement action selected in response to receiving said incoming telephone call; and performing said user-selected announcement action including: if said user-selected announcement action includes said hold announcement then answering said incoming telephone call by providing the caller with the hold announcement; and if said user-selected announcement action includes a call-back announcement, then providing the caller with the call-back announcement and disconnecting the telephone call; and responsive to a particular caller identification associated with a particular caller, sending the incoming call to a voice mail system without alerting the user of the incoming call.” (Emphasis added)

Peters teaches a system for answering a wireless telephone that allows the user to put the telephone in an automatic call answering mode. Whether or not the call is in the automatic call answering mode an attempt is made to notify the user of any incoming telephone calls. Peters fails to teach, either expressly or inherently, at least the element “responsive to a particular caller identification associated with a particular caller, sending the incoming call to a voice mail system without alerting the user of the incoming call”, as recited in Claim 1. Therefore, Peters does not anticipate Claim 1 for at least the reason that Peters does not teach, either or expressly or inherently, all of the elements of Claim 1. Claims 21, 22, and 26 also include the element “responsive to a particular caller identification associated with a particular caller, sending the

incoming call to a voice mail system without alerting the user of the incoming call”, and Applicant submits that they are patentable over Peters for at least the reasons given for Claim 1. Claims 2-20 depend from Claim 1 and are believed to be allowable at least due to their dependency on Claim 1. Claims 23-25 depend from Claim 22 and are believed to be allowable at least due to their dependency on Claim 22.

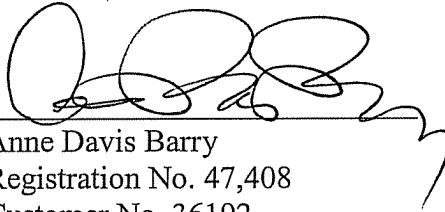
New Claims 27-30 include the element “the automatic answering mode includes a list of tailored announcements that cover user specific situations and each of the announcements is named”, as well as all elements of independent Claims 1, 21, 22, and 26, respectively. Therefore, new Claims 27-30 are believed to be allowable at least due to their dependencies on allowable Claim 1, 21, 22 and 26 respectively.

Conclusion

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicants’ attorneys.

Respectfully submitted,

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